

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DAVIAS TAYLOR,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civ. No. 21-12788 (GC)

MEMORANDUM & ORDER

Petitioner, Davias Taylor (“Petitioner” or “Taylor”), is a federal prisoner proceeding *pro se* with an Amended Motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. (See ECF 3 & 4). Previously, this matter was administratively terminated as Petitioner did not file his initial § 2255 motion on the proper form. (See ECF 2). On January 10, 2023, this matter was reassigned to the undersigned. (See ECF 5). Petitioner’s Amended Motion filed pursuant to § 2255 is on the proper form such that the Clerk will be ordered to reopen this case.

In accordance with Rule 4(b) of the Rules Governing § 2255 Proceedings, this Court has screened Petitioner’s Amended Motion filed pursuant to § 2255 for dismissal and determined that a dismissal without a response is not warranted.

Accordingly, IT IS on this 18th day of January, 2023,

ORDERED that the Clerk shall reopen this case; and it is further

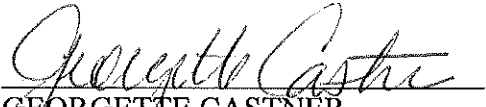
ORDERED that Respondent shall file a full and complete response to Petitioner’s Amended Motion filed pursuant to § 2255 (ECF 3 & 4) within forty-five (45) days of the date of entry of this Order; and it is further

ORDERED that the response shall respond to the allegations and grounds of the Amended Motion and shall adhere to Rule 5 of the Rules Governing Section 2255 Proceedings; and it is further

ORDERED that if the response refers to briefs or transcripts, orders, and other documents from prior proceedings, then Respondent shall file them with the response and include an index of exhibits; and it is further

ORDERED that Petitioner may file a reply to Respondent's response within forty-five (45) days after the response is filed should he elect to do so; and it is further

ORDERED that the Clerk shall serve this Order on Petitioner by regular U.S. mail.


GEORGETTE CASTNER
United States District Judge